

# **EXHIBIT 3**

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July 16, 2008

VIA E-MAIL AND U.S. MAIL

Mr. Trey Wood  
Alaniz & Schraeder, LLP  
2500 City West Boulevard  
Suite 1000  
Houston, Texas 77042

Re: *Danny Lee v. Nucor Yamato Steel Company LLP & Nucor Corporation*

Dear Trey:

I am writing in response to your letter of July 11, 2008, regarding our Notice of 30(b)(6) Deposition.

We disagree that our request for a 30(b)(6) witness should be limited to the Maintenance Department and that instances of racial harassment and discrimination occurring outside the Maintenance Department are not relevant. Evidence of racial discrimination and racial harassment in other departments is highly relevant to this case. Nucor made a similar argument recently in the *Bennett* case in a motion for separate trials. Judge Webber Wright rejected the defendants' argument and acknowledged that law of the Eight Circuit supported the view that harassment and disparate treatment of others were relevant to the *Bennett* plaintiffs' individual hostile environment claims.

The complaints of racial harassment and instances of discrimination dealt with in discovery in the *Bennett* case and *Clifton Lee* case are relevant in this case. While we do not propose retreading ground already covered by discovery in *Bennett* and *Clifton Lee*, we do want to ascertain the state of the evidence since the depositions were taken in those cases and to ask questions that specifically relate to Danny Lee or that were not addressed in either of the other cases.

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Therefore, we request again that you identify witnesses who can testify regarding the topics listed in our Notice of 30(b)(6) Deposition.

As to item #6, this item follows from your answer to Interrogatory #4 which states as follows:

4. Did Nucor Yamato Steel Corporation investigate the allegations of racial harassment made by Danny lee or other African American employees in their statements taken by NYS's attorneys in 2003? If so, describe the investigation, persons interviewed and whether notes, transcripts or documents exist which detail the investigation and result of the investigation.

In response to what is a yes-or-no question, defendants stated, in pertinent part, "Subject to and without waiving these objections, Defendant is currently unaware of any relevant, non-objectionable information responsive to this interrogatory. Discovery and investigation is ongoing." If Defendants are taking the position that there has been no investigation of the reports of racial discrimination attested to in the 2003 affidavits, we will object at trial if defendants say anything other than there were no investigations of reports of racially offensive materials at NYS made by Danny Lee in his affidavit and by others. Danny Lee was questioned about his 2003 affidavit in his deposition, and we would like the opportunity to question a Nucor-Yamato manager or supervisor who can testify about any investigations that were conducted in response to Danny Lee's affidavit and the affidavits of other African American reporting racially offensive material and disparate treatment at Nucor-Yamato.

Cordially,



Susan Donahue  
Attorney for Danny Lee